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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,406	10/23/2006	Marc C. Michel	30872/41404	1691
4743 7590 07/18/2008 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606				
EXAMINER BRAINARD, TIMOTHY A				
ART UNIT		PAPER NUMBER		
3662				
MAIL DATE		DELIVERY MODE		
07/18/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/549,406

**Applicant(s)**

MICHEL, MARC C.

**Examiner**

TIMOTHY A. BRAINARD

**Art Unit**

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 15-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-13 and 15-17 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 14 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Information Disclosure Statement*

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

#### **Claims 1-7, 9-12, and 16-17**

1. Claims 1-7, 9-12, 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Andrusiak et al (US 5923285). Andrusiak teaches (**claim 1**) a radar system comprising a head containing a radar transmitter and a radar receiver and configured to be closely associated with a radar antenna (**fig 2, item 31 and col 3, lines 22-37**), (**claim 1**) a signal processing unit included with said head for processing received radar signals and for combining he received radar signals with data from other sources and configured to simultaneously output data in multiple output data feeds for use by at least one display unit (**col 2, lines 56-67**), (**claim 2**) the signal processing unit simultaneously

outputs data for at least two differing processed radar signals (**col 2, lines 56-67**), (**claim 3**) the output data feeds include raw radar signal and a processed radar signal (**col 2, lines 56-67**), (**claim 4**) the signals processing unit simultaneously outputs radar signals for differing radar ranges (**col 2, lines 56-67**), (**claim 5**) the signal processing unit is controllable by digital input signals (**col 3, lines 23-54**), (**claim 6**) the signal processing unit receives control signals for the radar receiver and the radar transmitter (**col 3, lines 23-37**), (**claim 7**) the signal processing unit receives digital signal inputs which are added to the output data feeds during processing (**col 2, lines 56-67**), (**claim 9**) the signal processing unit outputs signals representative of additional data feeds (**col 3, lines 23-54**), (**claim 10**) all signals processing is carried out digitally (**col 3, lines 23-54**), (**claim 11**) the radar transmitter is controllable by digital signal processing unit (**col 3, lines 23-54**), (**claim 12**) the output data feeds are to a standard specification (**col 3, lines 23-54**), (**claim 16**) the radar system in combination with a digital display unit which facilitates selection of one or more of the output data feeds from those provided by the radar system (**col 2, lines 56-67**), (**claim 17**) a radar system in combination with a digital display unit wherein the digital display unit has inputs allowing remote control of the radar transmitter the receiver or the signal processing unit (**col 6, lines 33-59**).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 8**

1. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Andrusiak as applied to claim 1 above, and further in view of Henri et al (US 4774516). Henri teaches **(claim 8)** a north heading signal **(col 2, lines 29-40)**. Andrusiak teaches combining a signal combined with a received radar signal to allow synchrony with other data feeds **(col 3, lines 23-54)**. It would have been obvious to modify Andrusiak to include a north heading signal is combined with the received radar signal signals to allow synchrony with other data feeds because it is one of multiple design choices with no new or unexpected results.

**Claims 13 and 15**

2. Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrusiak as applied to claim 1 above, and further in view of Reese et al (US 2002/0141732). Reese teaches **(claim 13)** the output data feeds are encoded in Ethernet protocol **(para 16)**, **(claim 15)** the output data feeds are distributed wirelessly **(para 16)**. It would have been obvious to modify Andrusiak to include the output data feeds are encoded in Ethernet protocol, the output data feeds are distributed wirelessly because it is one of multiple design choices with no new or unexpected results.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY A. BRAINARD whose telephone number is (571) 272-2132. The examiner can normally be reached on Monday - Friday 8:00 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. A. B./  
Examiner, Art Unit 3662

/Thomas H. Tarcza/  
Supervisory Patent Examiner, Art Unit 3662